

REMARKS

Claims 1, 3, 6 and 8 are pending and under consideration in the above-identified application. Claims 2, 4, 5, 7 and 9-18 have been previously cancelled.

In the Final Office Action dated January 28, 2010, the Examiner rejected claims 1, 3, 6 and 8.

I. 35 U.S.C. § 103 Obviousness Rejection of Claims

Claims 1, 3 and 6 and 8 were rejected under 35 U.S.C. § 103(a) as being obvious over Sonoda, et al. (U.S. Publication No. 2002/0028389) in view of Oyama et al. (WO 02/33765) and Okamoto et al. (U.S. Publication No. 2003 0027050). Applicant respectfully traverses this rejection.

Claim 1 requires a battery that includes an electrolyte that contains an anion expressed by Chemical formula 1, an anion selected from the group consisting of PF_6^- , BF_4^- , ClO_4^- and AsF_6^- , an anion expressed by Chemical formula 2, and (4) an anion expressed by Chemical formula 4. The claims also require that the moisture content in the electrolyte is 100 ppm or less at a mass ratio in relation to the electrolyte. As a result of the moisture content and mass ratio relationship, high temperature storage characteristics are significantly improved. Specification, page 6 and Tables 1 & 2.

The Examiner argues that it would have been obvious to find the lowest amount of moisture in the electrolyte to prevent decomposition. Office Action, page 3. However, the reduction in moisture content is not obvious because reduced moisture content may not significantly change the battery characteristics. For example, in comparative examples 1-1 and 1-2, where only LiPF_6 is used there is little difference in the effect on the high temperature storage characteristics, i.e. the high storage characteristics increase from 58 to 60 when the moisture

content is reduced to 27 ppm from 127 ppm. Specification, page 46 & Table 1. In contrast, in the examples which embody the claim requirements, a reduction in moisture content from 126 ppm to 25 ppm significantly improves the high temperature storage characteristics to 75 and above. *Id.* As such, a reduction in moisture content is not obvious as the Examiner suggests, because reduced moisture content could have little or no impact on the battery characteristics as shown in comparative examples 1-1 and 1-2 or could have a significant impact as shown by the examples that are embodiments of the claimed invention. Thus, without a specific teaching to reduce the moisture content, it would not be obvious to do so.

As argued previously, Sonoda et al. does not teach that the reduction of moisture content in the electrolyte is 100 ppm or less at a mass ratio in relation to the electrolyte as required by the claim. Furthermore, as discussed above the reduction of the moisture content would not have been obvious because reduced moisture content does not necessarily significantly impact the battery characteristics. As such, the claimed invention is not obviousness in light of Sonoda et al. Accordingly, taken either singularly or in combination with each other, the above cited references fail to teach or even fairly suggest all the requirements of the claims. Therefore, claims 1, 3, 6 and 8 are patentable over the cited references and Applicants respectfully request the above rejection be withdrawn.

II. Conclusion

In view of the above amendments and remarks, Applicants submit that all claims are clearly allowable over the cited prior art, and respectfully requests early and favorable notification to that effect.

Respectfully submitted,

Dated: March 25, 2010

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